

Prob 12  
(Rev. 3/88)

**UNITED STATES DISTRICT COURT  
For The  
WESTERN DISTRICT OF PENNSYLVANIA**

CLERK  
U.S. DISTRICT COURT  
2006 MAR -5 PM 3:05

**U.S.A. vs. James Regis Whitner, Jr.**

**Docket No. 99-00152-001**

**Petition on Supervised Release**

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of James Regis Whitner, Jr., who was placed on supervision by the Honorable Donald E. Ziegler sitting in the Court at Pittsburgh, on the 3rd day of August 2001, who fixed the period of supervision at four years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not possess a firearm.
- The defendant shall participate in a program of testing and, if necessary, treatment for substance abuse.
- The defendant shall pay a special assessment of \$100 (paid ).

08-03-01: Possession With Intent to Distribute in Excess of 50 Grams of Cocaine Base; 87 months of imprisonment, with 4 years of supervised release to follow.

05-16-03: Sentence amended to time served; Released to supervision with additional amended condition of 6 months' home detention; Currently supervised by U.S. Probation Officer Jeffrey A. Birt.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:**

Your Petitioner reports that Mr. Whitner has relocated to North Carolina, and his case has been accepted for transfer of supervision by the U. S. Probation Office in Charlotte, North Carolina, contingent upon a search condition being made a condition of his supervised release. Mr. Whitner has agreed to this modification and has signed the attached Probation Form 49.

PRAYING THAT THE COURT WILL ORDER the term of supervised release be modified to include a special condition that the defendant shall submit his person, residence, office or vehicle to search, from time to time, conducted by any U. S. Probation Officer or such other law enforcement personnel as the probation officer may deem advisable without a warrant, and failure to submit to such search may be grounds for revocation of supervision. The defendant shall warn other residents or occupants that such premises or vehicles may be subject to searches pursuant to this condition.

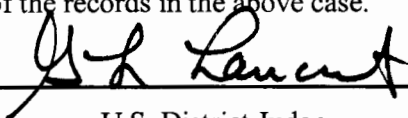
I declare under penalty of perjury that the foregoing is true and correct.

Executed  
on

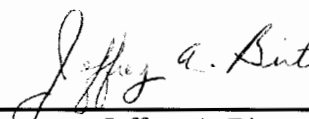
03-06-2006

ORDER OF COURT

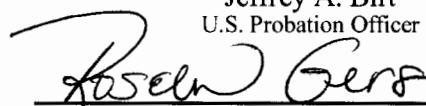
Considered and ordered this 8<sup>th</sup> day of March, 20 06 and ordered filed and made a part of the records in the above case.



U.S. District Judge



Jeffrey A. Birt  
U.S. Probation Officer



Roselyn Gerson  
Supervising U.S. Probation Officer

Place: Pittsburgh, PA

PROB 19  
(3/89)

## United States District Court

### Western District Of Pennsylvania

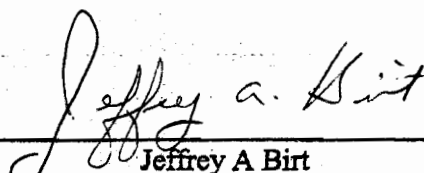
#### Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

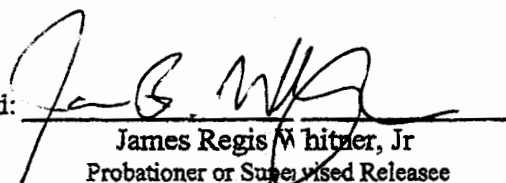
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

I agreed to have the conditions of my supervised release modified to include the following condition (which is a standard condition in the Western District of North Carolina): The defendant shall submit his person, residence, office or vehicle to a search, from time to time, conducted by any U.S. Probation Officer and such other law enforcement personnel as the Probation Officer may deem advisable without a warrant, and failure to submit to such search may be grounds for revocation of supervision. The defendant waives other residents or occupants that such premises or vehicles may be subject to searches, pursuant to this condition.

Witness:

  
Jeffrey A Birt  
United States Probation Officer

Signed:

  
James Regis Whitner, Jr.  
Probationer or Supervised Releasee

2-9-06

Date

WESTERN DISTRICT OF PA.  
**RECEIVED**

FEB 13 2006

U.S. PROBATION & PRETRIAL  
SERVICES OFFICE